

Serial No.: 10768981 Customer No.: 000042173 Docket No.: 234RK001

#### **CERTIFICATE OF MAILING**

I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Va. 22313-1450.

Date: March 14, 2006

Richard B. Klar, Esq.

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Joseph J. Mazzilli, et al.

Appln No.:

10/768981

Filed:

January 31, 2004

Examiner:

Thanh S. Phan

For:

PERSONALIZED ALARM CLOCK

**Art Unit**:

2841

Docket No.: 234RK001

Declaration of Prior Invention in the United States to Overcome Cited Patent Pursuant to 37 C.F.R 1.131

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Serial No.: 10768981

Customer No.: 000042173

Docket No.: 234RK001

This declaration is to establish completion of the invention of this application in

the United States at a date prior to April 23, 2002 that is the effective date of the prior art

patent publication US 2003/0198137 A1 that was cited by the Examiner.

The person making this declaration is Joseph J. Mazzilli, the co-inventor.

This declaration is submitted prior to final rejection.

The statement below establishes the diligence of the applicants, from the time of

their concept, to a time prior to the date of the reference up to the filing of this application

Statement

To establish the date of completion of the invention of this application, applicant

submits as evidence a drawing of the invention and an invoice.

Attached is a drawing of the invention evidencing conception with the signature

of co-inventor Joseph J. Mazzilli and witnessed by applicants' contractor Charles Colby.

The invention as conceived was too large and generated too much heat thus

making it unsafe to use. This chip technology made the invention safely useable without

generating as much heat. In addition, this chip technology permitted the invention to be

2

Serial No.: 10768981

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used as a battery operated invention. New technology incorporated on one or two chips

became available much later and was ordered and employed by the applicants.

I hereby declare that all statements made herein of my own knowledge are true

and that all statements made on information and belief are believed to be true; and further

that these statements were made with the knowledge that willful false statements and the

like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title

18 of the United States Code, and that such willful false statements may jeopardize the

validity of the application or any patent issued thereon.

Date

Signature

Joseph J. Mazzilli

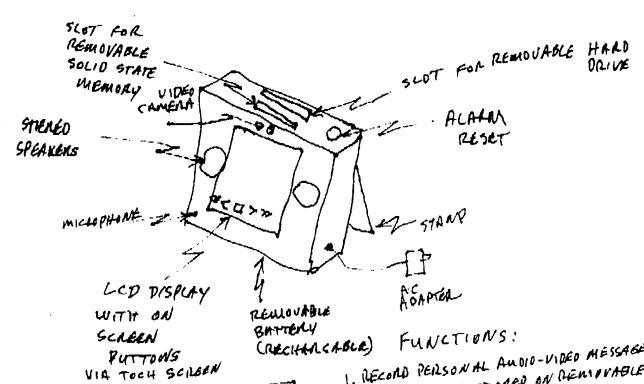
# PORTABLA

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1. RECORD PERSONAL AUDIO-VIDEO MESSAGES THAT CAN BE STORED ON DEMINISTRATILE MEMORY MODULES OR HARD DINE THAT CAN BE USED TO WARE SOME ONE UP USING THE ALARM CLOCK FUNCTION OR PLAYED AS OFTEN AS DESINED

2. Buy PILE-RECURDED MESSAGES ON MEMOR MODULES THAT CAN BE USED TO WARE SEMBONE UP OR BE PLAYED AS OFTEN

3. USE UNIT AS A CAMCARDER WITH AUDIO-VIA FILES STORED ON REMOVABLE MEMORY MODELE OR HAND DRIVES,

Read + understood

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	VIDEO CARD			C&F	USA		( CZU )
i	2VW320001	DVD PLUS 3210			2.00 SET	160.00	320.00
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The person making this declaration is Charles Colby, the contractor.

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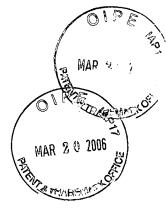
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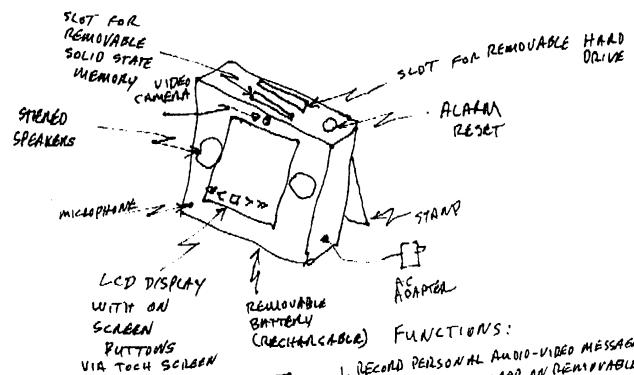
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Charles Colby

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- . ALARM CLOCK





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UP USING THE ALARM CLOCK FUNCTION
OR PLAYED AS OFTEN. AS DESIRED.

2. BUY PILE-RECURDED MESSAGES ON MEMOR.
MODULES THAT CAN BE WISED TO WARD
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AS RESIDED.

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Josephy Ill Read + understood

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Charles Cally



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Mr Chuck Colby 2921 Alexis Dr Alto, Cz 94304

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